

LAW OFFICES OF
MOSCONE, EMBLIDGE & QUADRA, LLP
180 Montgomery Street, Suite 1240
San Francisco, California 94104-4238
Tel: (415) 362-3599
Fax: (415) 984-0414

June 7, 2006

Hon. Joseph C. Spero
450 Golden Gate Ave
Courtroom A , 15th Floor
San Francisco, CA 94102

RE: *Vignoles v. China Pharmaceutical Group, LTD., et al.*
Case Number C 06 1654 JCS

Dear Judge Spero:

On or about March 2, 2006, Plaintiffs Niall Vignoles and Hunt & Behrens, Inc. filed the Complaint in this action. Hunt & Behrens later dismissed its action without prejudice, and counsel removed Hunt & Behrens from the pleadings by amending the complaint on May 15, 2006. Vignoles alleges that Defendants conspired to inflate the price of Vitamin C sold in the State of California and throughout the United States, through, *inter alia*, forming a cartel to control prices and volume of exports of Vitamin C, agreeing to increase and maintain prices for the sale of Vitamin C in the United States and elsewhere, and agreeing to control the worldwide market for Vitamin C.

On February 14, 2006, the Judicial Panel on Multidistrict Litigation had coordinated in New York similar actions alleging conspiracy to eliminate competition, maintain market control, and fix prices for Vitamin C in the United States. *In re Vitamin C Antitrust Litigation*, J.P.M.L 1738 (transferring cases to the Eastern District of New York).

On or about May 23, 2006, Plaintiff Vignoles filed a Notice of Potential Tag-Along Action with the Judicial Panel on Multidistrict Litigation and requested under Panel Rule 7.4(d) that the Panel treat this action as a tag-along action to *In re Vitamin C Antitrust Litigation* and accordingly transfer it to Eastern District of New York as part of MDL No. 1738.

Although the Panel has not yet issued a conditional transfer order, the clerk of the panel has verbally indicated that a conditional transfer order is imminent. After the clerk sends a letter regarding the conditional transfer order, the parties will have 15 days to oppose the order. If there is no opposition then the case will be transferred.

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In light of these circumstances as well as the fact that Defendants are located in China, Plaintiff has not yet served Defendants in this action and therefore has not had the opportunity to meet and confer regarding the Case Management Conference. Plaintiff respectfully requests that the Court postpone the Case Management Conference currently set for June 16, 2006 and all deadlines set forth in the Order Setting Initial Case Management Conference by a period of thirty days pending a final decision regarding whether this matter will proceed in this Court or whether it will be transferred to the Eastern District of New York.

We appreciate the Court's time and attention to this matter.

Sincerely,

MOSCONE, EMBLIDGE & QUADRA, LLP

/s/ 
Rebecca Bedwell-Coll

cc: Joseph Saveri

IT IS HEREBY ORDERED THAT the initial case management conference, set for June 16, 2006 at 1:30 p.m., is continued to July 21, 2006, at 1:30 p.m.

IT IS SO ORDERED.

Dated: June 9, 2006

